

AGENDA

**INDIANAPOLIS AIR POLLUTION CONTROL BOARD
Room 107 City-County Building
9:30 A.M. April 10, 2003**

- 1) CALL TO ORDER - REGULAR MEETING
- 2) ADOPTION OF AGENDA
- 3) ANNOUNCEMENTS
 - a) Introductions
- 4) APPROVAL OF MINUTES
 - a) March 13, 2003
- 5) STAFF REPORTS - February 2003
 - a) Activities
 - a) Air Monitoring
 - b) Permitting
 - c) Compliance
 - d) Enforcement
 - e) School 21
 - f) Ozone Flex
- 6) UNFINISHED BUSINESS
- 7) NEW BUSINESS
- 8) ADJOURNMENT

NEXT MEETINGS:

**ORDINANCE REVIEW COMMITTEE
Department of Public Works - Training Center
2700 South Belmont Avenue
8:30 A.M. May 8, 2003**

BOARD MEETING

**Department of Public Works - Training Center
2700 South Belmont Avenue
9:30 A.M. May 8, 2003**

**Web Site Address
www.indygov.org/ermd**

For current Air Quality information, please call (317) 327-4AIR (4247).

For ozone information, please visit our website at www.knozone.com.

**There will not
be an
Ordinance Review
Committee
Meeting
on
April 10, 2003**

PRELIMINARY MINUTES - March 13, 2003
INDIANAPOLIS AIR POLLUTION CONTROL BOARD
CITY OF INDIANAPOLIS

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on March 13, 2003 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chairman
Bernie Paul, Vice Chairman
Dennis Achgill, Member
Chuck Fraley, Member
Bruce Wallace, Member
Tom Barnard, Member
Jodi Perras, Acting Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Bill Brown, Member
Tom Rarick, Member
Roland Salman, Member

GUESTS PRESENT:

Wade Kohlmann, Citizens Gas & Coke Utility

RE: CALL TO ORDER - PUBLIC HEARING

Dr. Robert Daly called the Public Hearing to order to amend the Indianapolis Air Pollution Control Board (IAPCB) Regulation 1-2-3. He stated he and the other APCB members would serve as Hearing Officers for the Public Hearing. Notice of the Public Hearing was published in the *Indianapolis Star* on March 3, 2003 and copies of the proposed regulation have been available for public inspection at the Office of Environmental Services and at the City Clerk's office.

Mr. Tom Hipple summarized the IAPCB Regulation 1-2-3. The City is updating the Incorporation by Reference of the State Air Pollution Control Board Rules. The changes will occur in Regulation 1 Section 2-3, which says the City adopts by reference the State's rules by a certain date. The regulation is being updated to include all the State rules that have been published as final rules in the Indiana Register as of January 1, 2003.

There are a total of twenty-four (24) updates that are going to be incorporated. All, with the exception of two (2), were discussed at the last APCB meeting. The two (2) that were not discussed are as follows:

1. Regulation 8, Section 1-2 is amended to provide compliance methods applicable to dip and flow operations at miscellaneous metal coating operations.
2. Regulation 13, Section 14-9 provides for the expiration and readoption of administrative rules on January 1 of 2002 for rules in effect on December 31, 1995, and on January 1 of the seventh year after each rule takes effect, for those rule adopted after December 31, 1995. This will open ninety-three rules for readoption. This will affect all sources that are regulated by Regulation 1-2-3.

Dr. Daly asked if staff has received any written comments or if there was anyone present who would like to give testimony. There were none. Dr. Daly announced the Public Hearing adjourned.

Dr. Daly asked Mr. Matt Senseny to update the Board on the adoption procedures. Mr. Senseny stated the preliminary adoption that took place at the last APCB is essentially a procedure that is done through Chapter 511. However, Chapter 141 supercedes Chapter 511 for the promulgation of City regulations. Chapter 141 allows for final adoption at the

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INDIANAPOLIS AIR POLLUTION CONTROL BOARD
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same APCB meeting following the public hearing. OES Staff recommended the Board proceed with final adoption of Regulation 1-2-3 at the March 13, 2003 APCB meeting. The Board agreed with Staff's recommendation.

RE: CALL TO ORDER - REGULAR MEETING

Dr. Daly called the meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. There was one (1) addition presented by Dr. Daly.

1. Under item (7) Unfinished Business (a), Final Adoption of Regulation 1-2-3.

Mr. Bernie Paul made a motion the Agenda be adopted as amended. Mr. Bruce Wallace seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

Mr. Richard Martin introduced Ms. Angelique Oliger. She recently filled the vacant Project Manager position in the Permitting Section. Ms. Oliger recently completed her Masters Degree in Environmental Pollution Control at Penn State.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the February 13, 2003 meeting. There were none. Mr. Wallace made a motion that the Minutes be approved as presented. Mr. Chuck Fraley seconded the motion and said motion carried.

RE: STAFF REPORTS - January 2003, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for January 2003. He stated the Air Quality Index (AQI) for January 2003 was in the good and moderate categories, which is typical for this time of year. He distributed a handout with the Indianapolis Monitoring Network Locations for 2003.

The Board asked when would the 2003 ozone season begin. Mr. Childs stated data collection would begin April 1, 2003. Staff are currently preparing equipment for data collection. Ms. Perras stated staff are also working on the public outreach ozone campaign for 2003. A meeting was recently held with a meteorologist at Channel 8 who agreed to use ozone maps for the first time on certain days this year. It is anticipated this will increase public awareness.

(Permit Activities Report)

Ms. Monica Dick updated the Board on the Permit Activities Report for January 2003. She distributed a proposed Permit Activity Report to replace the report currently used in the Board packets. She will be giving a presentation on the air permit application process at

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the next APCB meeting.

The revised report includes columns for Application/Permit Level, Number Applications Received, year to date received, total applications in-house, Number of decisions, and Decisions Year to Date. The proposed report also provides information on status permits in the issuance stages. Additionally, it demonstrates the status of permits waiting to construct.

The Board had several suggestions for modification to the report. Ms. Dick will take their suggestions into consideration and present a second draft of the proposed Permit Activities Report at the next APCB meeting.

(Stationary Source Compliance Activities)

Mr. Richard Martin updated the Board on the Compliance Activities Report for January 2003. During the month of January, the Compliance Section inspected two (2) Title V, four (4) FESOP sources and four (4) SSOA sources. There was one (1) source flagged. BMG was issued a Warning Letter. Two (2) of the FESOP sources, Dynagear - Ertel Division and GAC Web Division, were inspected to confirm the sources were closed. There were two (2) stack tests observed during the month as well. There were no problems observed. Staff also attended conflict management training in January 2003.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Cheryl Carlson updated the Board on the Enforcement Activities Report for January 2003. During the month of January four (4) Warning Letters were issued. Three (3) source conferences were held.

New Information:

Aluminum Finishing Corporation - Dismissed due to bankruptcy of company January 27, 2003.

B&W Auto Sales - A Compliance Agreement was signed on December 21, 2002 and a penalty of \$1,000.00 was assessed.

CMW, Inc. - A Compliance Agreement was signed by the company on February 18, 2003 and a penalty of \$12,000.00 was assessed.

C.P. Morgan Company, Inc. - A Compliance Agreement was signed by the company on January 16, 2003 and a penalty of \$1,000.00 was assessed.

D & N Liquor Store - A Compliance Agreement was signed by the company on January 14, 2003 and a penalty of \$300.00 was assessed.

Double 8 Foods, Inc. - A Compliance Agreement was signed by the company on February 7, 2003. In lieu of penalty source agreed to permanently close of all six (6) incinerators.

Rieth-Riley Construction Company, Inc. - A Compliance Agreement was signed by the company on January 17, 2003 and a penalty of \$1600.00 was assessed.

Rieth-Riley Construction Company, Inc. - A Notice of Violation was issued for fugitive dust emissions.

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Wishard Health Services - A Notice of Violation was issued for failure to provide sulfur content, late submittal of natural gas certification and Compliance Monitoring Report, missing records, late submittal of parameter testing, and construction without a permit.

The Board inquired if the source that filed bankruptcy was closed. Mr. Senseny stated Aluminum Finishing Corporation was completely liquidated. A new company did purchase the assets. Ms. Carlson met with the company and provided them with the history of the past problems and operations at the facility.

Ms. Perras complimented Ms. Carlson and staff who worked on the Double 8 Foods, Inc. case. The closure of the incinerators will improve the air quality in the neighborhoods surrounding the markets.

(School 21)

Mr. Martin stated a meeting was held March 12, 2003. The air monitoring equipment will begin to be installed on March 24, 2003. The trailer will be moved to a location at School 21 where continuous monitoring will be done. The rest of the equipment still needs to go through calibrations. The anticipated start up date for data collection is April 15, 2003.

After the initial start up, additional sampling, particularly PAH's, will be determined. There is a different type of procedure used when sampling PAH's. Enough money has been received through the grant to do approximately ten (10) samples for PAH's. A discussion point at the meeting was how and when to do the sampling for PAH's. There are criteria that should be met for this particular sampling, such as sampling should not be done when it is raining or during strong winds.

Recommendations will be submitted to the Indiana Department of Environmental Management (IDEM) and they will put together a summary for the sampling protocol. It is anticipated sampling on PAH's will begin in May 2003. As mentioned earlier, the continuous sampling will begin approximately on April 15, 2003. This sampling will consist mostly of VOC's. Data from these monitors will be collected along with meteorological data. Procedures are currently being determined on how to begin analysis of collected data.

The Marion County Health Department has begun collecting data from students and faculty at School 37 and School 21. The data being collected includes: how teachers and students feel during the day; if they experience headaches; notice odors; and if they have any type of health complaints at all. The secretaries at the schools are collecting the information for MCHD. The MCHD has collected two months of information. The data is still in preliminary stages. The MCHD is currently determining procedures for analyzing the data.

An inventory of other sources of VOC's and PAH's the area has begun. OES Staff are basing the inventory on an area of approximately one (1) mile in diameter around School 21. Permitted and non-permitted sources will be included in the inventory. Enforcement and Compliance Staff will compile the information on the sources, which may mean going to the non-permitted sources to gather the data. The majority of the sources in the area are small sources.

The Board inquired if traffic studies will be done. Mr. Martin stated yes that Staff are checking with other City agencies traffic counts. The Board also inquired what data is available on background levels for VOC's and PAH's within Marion County. Mr. Martin

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stated there is no background data for PAH's. Most of the data collected in Marion County is ozone precursor or VOC information. A lot of the discussions have focused on benzene so a lot of data has been collected from School 21. Most of the data collected at School 21 are 24-hour composite samples. There is no information available on continuous analysis. There is also a monitor located at the Washington Park Site collecting the same type data that will be used as "background".

The next School 21 meeting is scheduled for April 23, 2003 at 2:00 p.m. at the DPW Training Center located at 2700 South Belmont Avenue.

(Ozone Flex Program)

Ms. Perras updated the Board on the Ozone Flex Program. She stated the next Steering Committee meeting for the Early Action Compact (EAC) is scheduled for March 21, 2003. The City is still waiting on a response from the Environmental Protection Agency (EPA) on whether the EAC has been accepted. The City sent a letter on February 21, 2003 to Thomas V. Skinner, Regional Administrator, US EPA Region 5 explaining the two (2) dates in the EAC that varied from what was provided in the EPA guidance. The City agreed to change the date by which Central Indiana attains the 8-hour Ozone National Ambient Air Quality Standards from December 31, 2008, to December 31, 2007. This date is now consistent with EPA's guidance.

The City received a response from the EPA thanking them for the letter and stated they are still reviewing the EAC. The unofficial response is that the letter provided the EPA Region 5 with good information and assisted them with their discussion with EPA Headquarters. Staff are continuing to work with stakeholders on the national and local level who may have issues with the EAC. The City did ask for an immediate answer from EPA so the Steering Committee can make a decision on what needs to be done and how accelerated the efforts will need to be.

The Board inquired if the national stakeholders have done anything formally that supports the EAC. Ms. Perras stated not at this point. The City's contractor, Sonneschein, Nath & Rosenthal, have been talking with them and is in the process of scheduling a conference call to discuss the issues.

RE: UNFINISHED BUSINESS

(Discussion on Off Road Diesel Sources)

Mr. Hipple discussed the memo that was distributed to the Board regarding diesel emissions from off-road vehicles at the last APCB meeting. Mr. Hipple stated on-road vehicles are currently regulated. EPA is moving to have off-road diesel emission vehicles meet more stringent air quality requirements. The rule is to be published in April 2003. Railroads are not impacted by this rule. There is a separate rule in process for railroads. Mr. Martin stated the rule would contain standards that will have to be met during manufacturing of diesel engines. The Board inquired who would be responsible for monitoring. Mr. Martin stated most likely EPA.

(Final Adoption of Regulation 1-2-3)

A public hearing was held prior to the Board meeting. There were no comments. OES Staff recommended the Board to proceed with Final Adoption of Regulation 1-2-3. The Board

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agreed with Staff's recommendation. Mr. Tom Barnard made a motion to Final Adopt changes to Regulation 1-2-3. Mr. Dennis Achgill seconded the motion and said motion carried.

The notice of the final adoption will be printed in the Indianapolis Star for two consecutive weeks within forty-five days after this final adoption. A copy of the Final Adoption will be sent to the City-County Councillors. A copy will also be available at the City Clerks Office as well as the Office of Environmental Services.

RE: NEW BUSINESS

Dr. Daly reminded the APCB members to complete their Statement of Economic Interest and return them to the Office of Environmental Services.

RE: ADJOURNMENT

Mr. Wallace made a motion the meeting be adjourned. Mr. Fraley seconded the motion and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on April 10, 2003 at 9:30 A.M. in room 107 City-County Building.

AIR POLLUTION CONTROL BOARD

Dr. Robert Daly, Chairman

ATTEST:

Jodi Perras, Acting Technical Secretary
Indianapolis Air Pollution Control Board

Date: _____

January 2003
Monthly
Air
Quality
Management
Activities

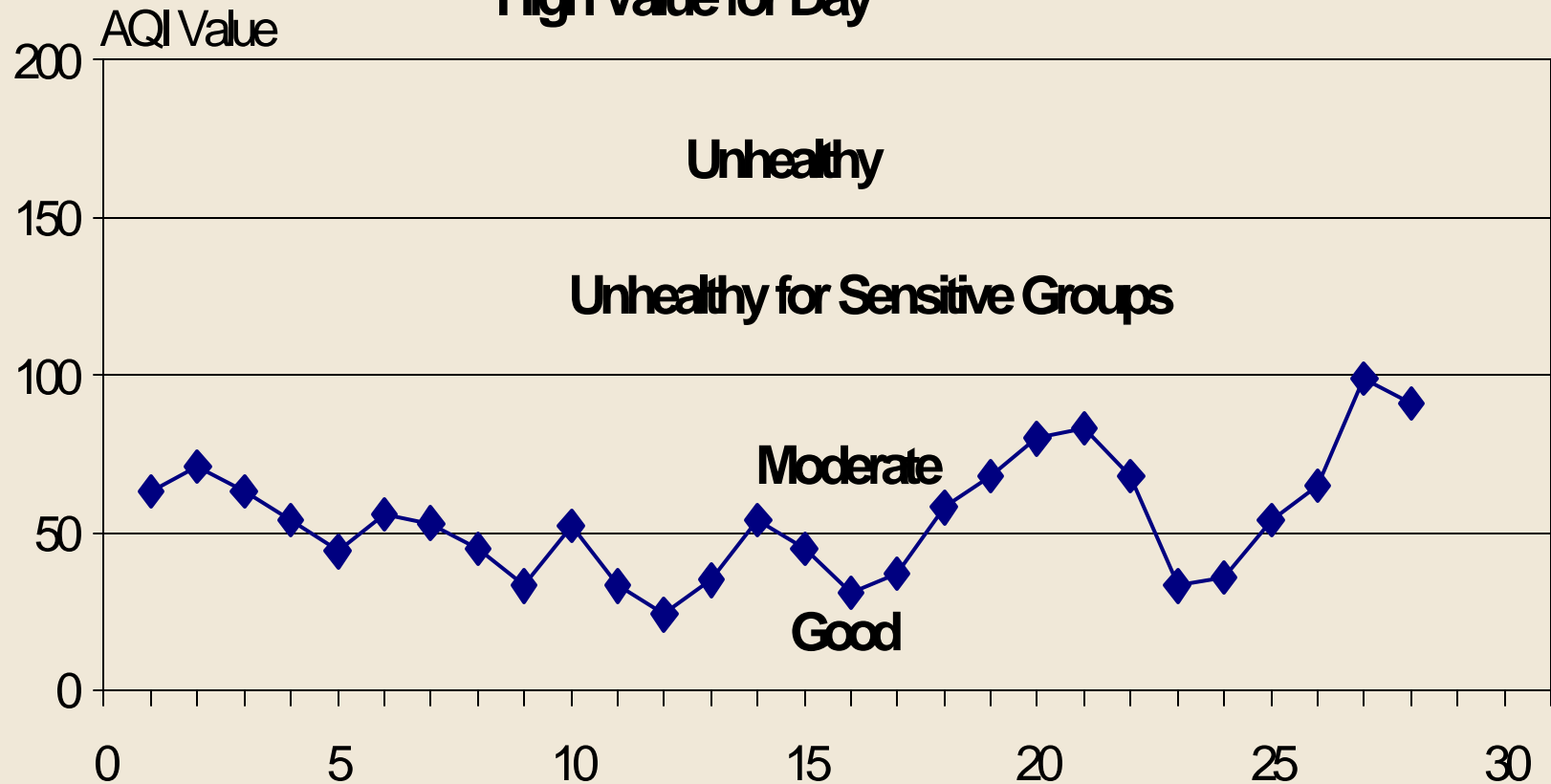
Office of Environmental Services

Central Indiana

Air Quality Index

February 2003

High Value for Day

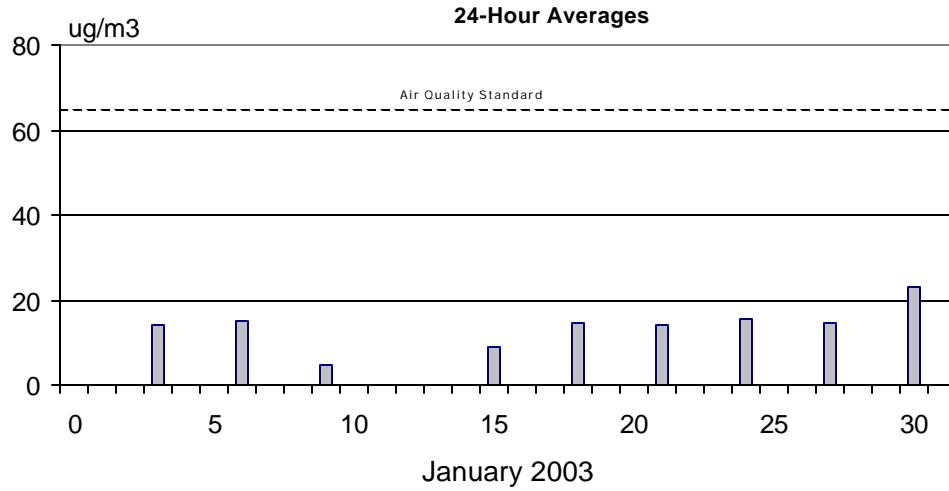


Pollutants included: O₃, SO₂, CO, PM_{2.5}

For hourly updates of AQI values go to: www.indy.gov.org/ermd/airquality.htm or call 327-4AIR

Particulate Matter 2.5

8327 Mann Road
Southwestway Golf Course

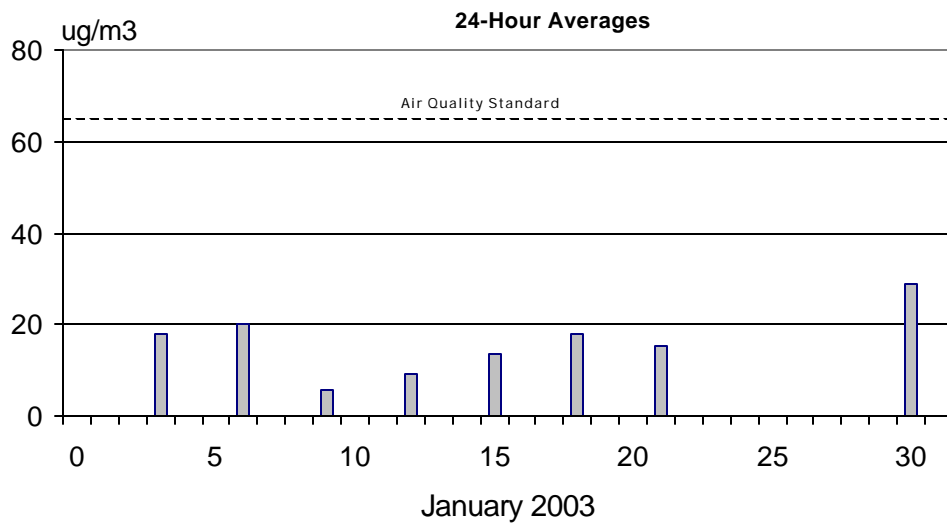


Site 19

	Monthly	YTD
1st High	23.1	23.1
2nd High	15.3	15.3

Particulate Matter 2.5

South West Street
DPW Facility

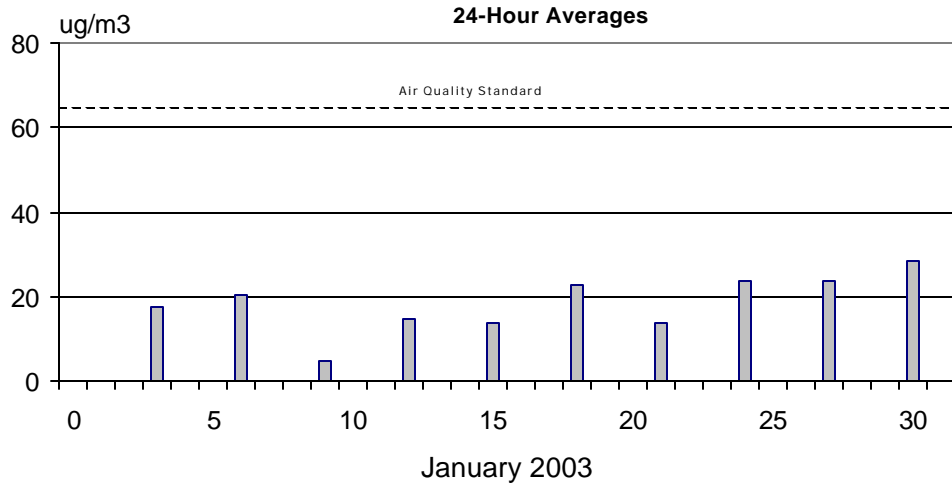


Site 2

	Monthly	YTD
1st High	28.7	28.7
2nd High	20.2	20.2

Particulate Matter 2.5

English Avenue

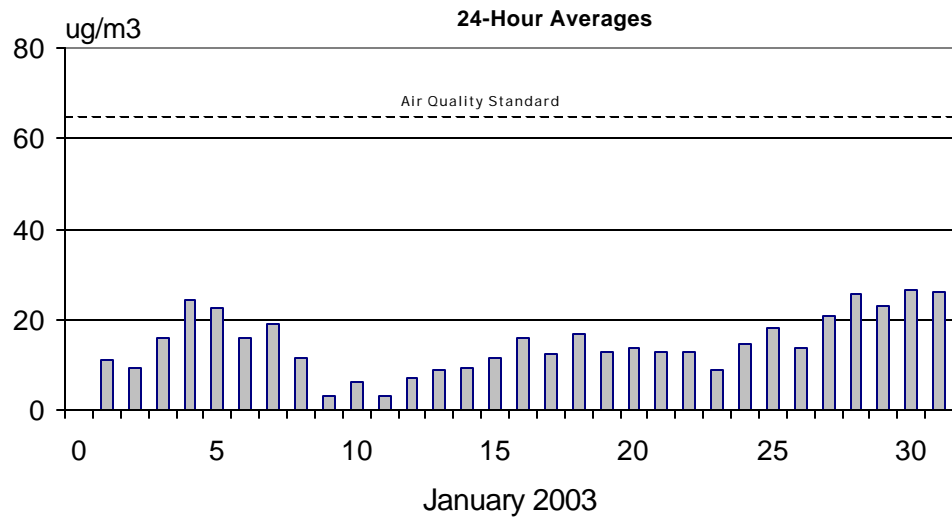


Site 11

	Monthly	YTD
1st High	28.5	28.5
2nd High	23.6	23.6

Particulate Matter 2.5

Washington Park
Police Station



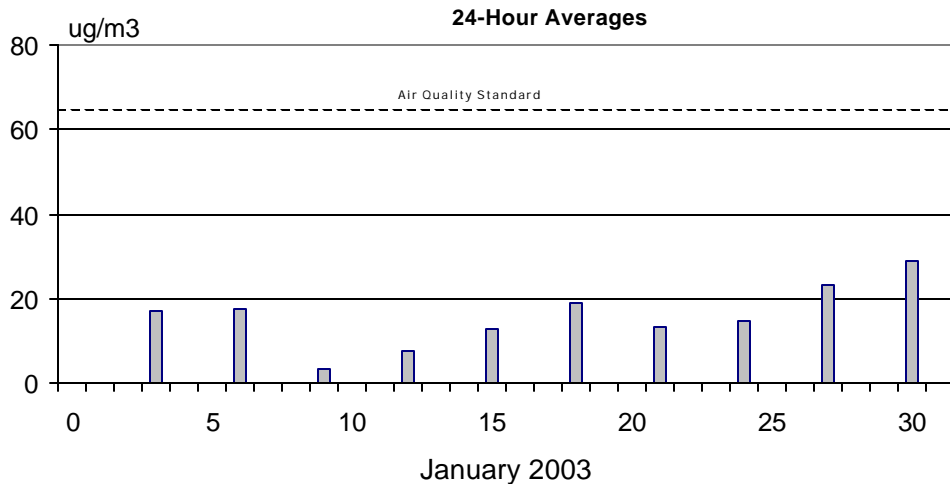
Site 41

	Monthly	YTD
1st High	26.7	26.7
2nd High	25.9	25.9

Particulate Matter 2.5

West 18th Street

School 90



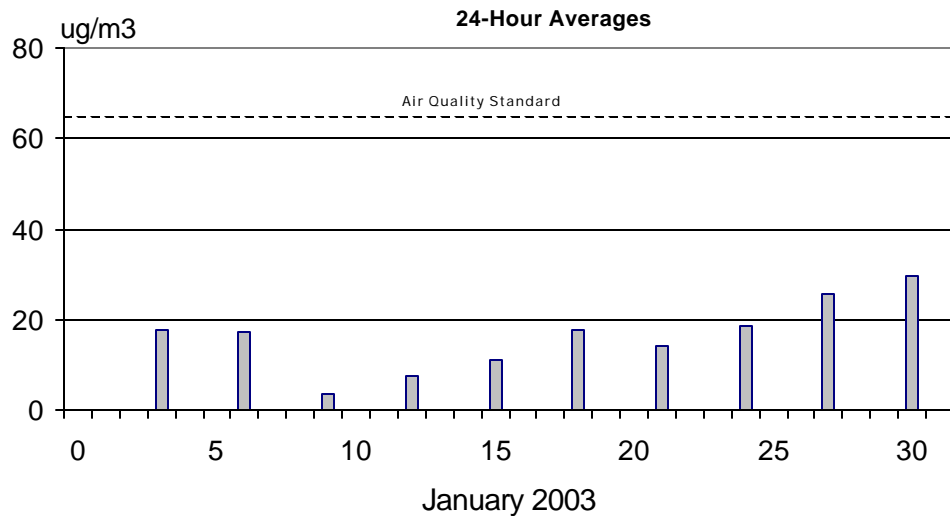
Site 43

	Monthly	YTD
1st High	29.0	29.0
2nd High	23.4	23.4

Particulate Matter 2.5

East Michigan Street

School 15

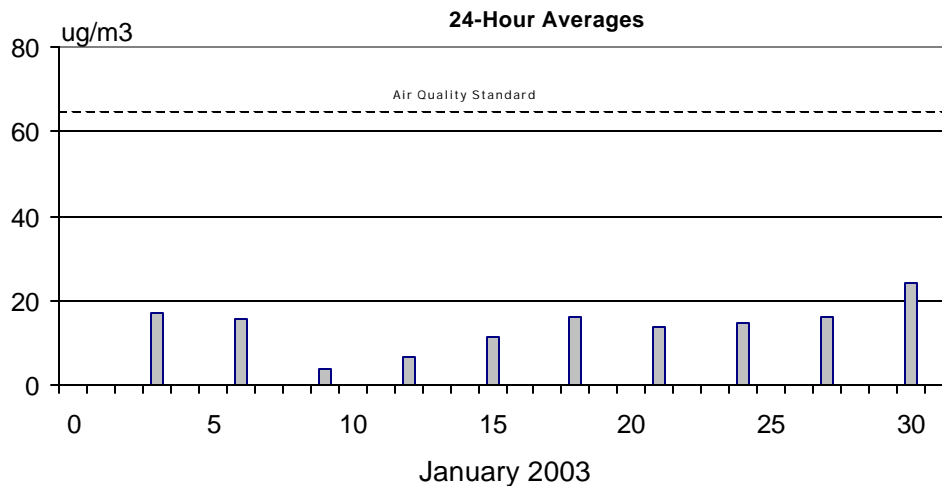


Site 44

	Monthly	YTD
1st High	29.8	29.8
2nd High	25.5	25.5

Particulate Matter 2.5

7250 East 75th Street
McKenzie Career Center

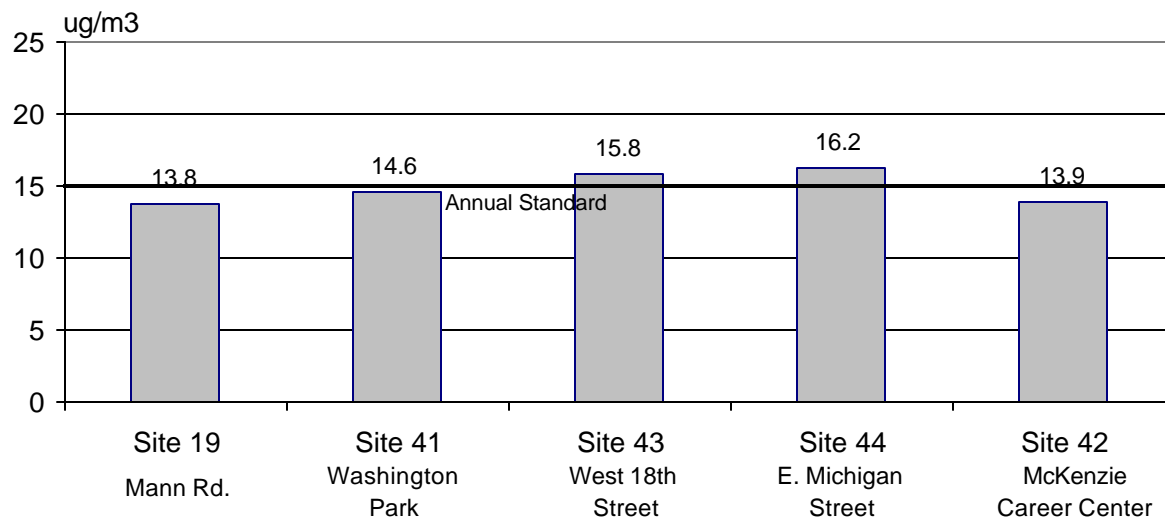


Site 42

	Monthly	YTD
1st High	24.3	24.3
2nd High	16.9	16.9

Particulate Matter 2.5

Annual Averages
January 2003



PARTICULATE MATTER - 2.5 MICRON (PM2.5)
2003
24-Hour Averages (ug/m3)

MONTH		SITE 2	SITE 11	SITE 19	SITE 41	SITE 42	SITE 43	Site 44
FEBRUARY	DAY							
	1				21.7			
	2	25.8	27.5	24.0	25.6	26.7	26.6	27.7
	3				21.8			
	4				6.7			
	5	15.0	15.6	9.4	13.7	14.2	13.5	14.8
	6				18.2			
	7				16.7			
	8	13.6	30.0	11.5	13.8	14.4	15.0	14.0
	9				10.3			
	10				15.8			
	11	12.2	18.1	8.1	10.3	10.4	11.4	12.4
	12				5.1			
	13				10.7			
	14	19.6	18.0	12.9	17.2	14.7	19.5	17.0
	15				13.8			
	16				7.1			
	17	15.0	12.6	13.8	11.4	12.5	12.4	12.4
	18				19.2			
	19				24.2			
	20	32.8	29.5		30.0	18.7	30.2	30.0
	21				32.0			
	22				16.2			
	23	10.7	9.7		8.9	9.9	10.5	9.8
	24				11.1			
	25				17.0			
	26	27.7	22.7	20.1	22.7	24.0	25.0	23.2
	27				39.7			
	28				36.0			
	29							
Mon. Avg.		19.2	20.4	14.3	17.7	16.2	18.2	17.9
YTD Avg.		17.7	19.3	14.0	16.1	15.0	16.9	17.0
1st Max.		32.8	30.0	24.0	39.7	26.7	30.2	30.0
2nd Max.		28.7	29.5	23.1	36.0	24.3	29.0	29.8
PY Avg.		17.1	18.4	15.2	16.1	15.8	14.4	16.7
3-Yr Avg.		NA	NA	15.1	16.7	16.0	16.1	17.0

PM 2.5 Primary Standards:

Annual Standard:

3-year average of the annual mean concentrations - 15 ug/m3

24-hour Standard:

3-year average of the annual 98th percentile values - 65 ug/m3

PARTICULATE MATTER - 10 MICRON (PM10)
2003
24-Hour Averages (ug/m3)

MONTH		SITE 2	SITE 11	SITE 19	Site 31	Site 44
FEBRUARY	DAY					
	1					
	2	24	25	23	25	26
	3					
	4					
	5					
	6					
	7					
	8	15	35	13	17	14
	9					
	10					
	11					
	12					
	13					
	14	23	21	13	19	22
	15					
	16					
	17					
	18					
	19					
	20	31	29	18	34	35
	21					
	22					
	23					
	24					
	25					
	26	29	25	23	28	25
	27					
	28					
	29					
Mon. Avg.		24	27	18	25	24
YTD Avg.		23	23	17	22	21
1st Max.		31	35	23	34	35
2nd Max.		29	29	23	32	28
PY Avg.		21	20	17	22	19

PM 10 Primary
Standards:

Annual Standard:

3-year average of the annual mean concentrations - 50 ug/m3

24-hour Standard:

3-year average of the annual 99th percentile values - 150 ug/m3

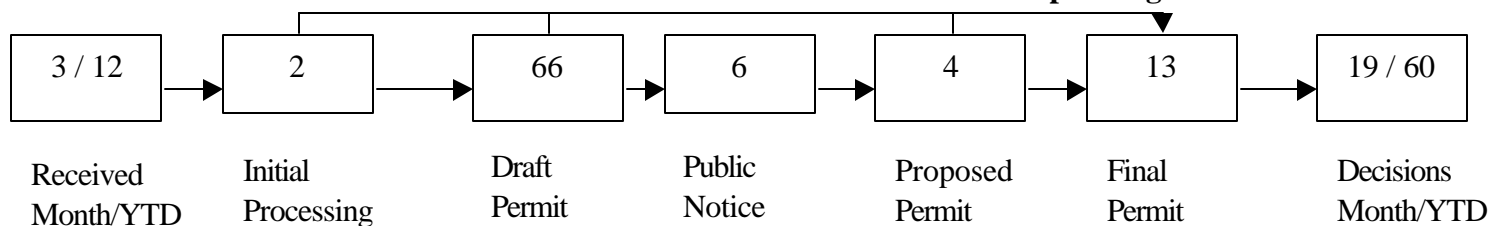
Office of Environmental Services

Air Permit Application Processing

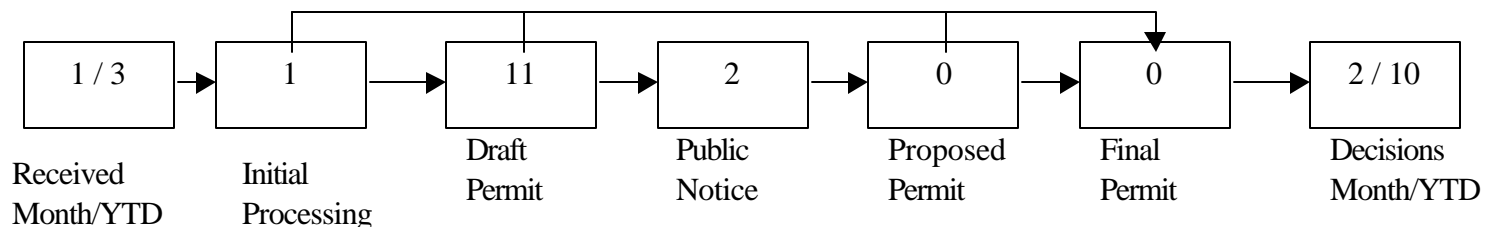
All Permit Writers. Received/Issued/Active in February 2003. Year to Date 2003.

Permit Level	Received	Received YTD	Decisions	Decisions YTD	Active Workload
Amendments	0	0	0	1	3
Initial Title V	0	0	1	2	16
Ongoing Title V	1	1	1	6	6
FESOP	1	5	5	19	31
MSOP	1	2	1	5	23
Registrations	1	1	3	9	5
SSOA	0	0	0	1	2
Exemption	0	0	9	22	13
Permit by Rule	0	1	0	2	1
Review Request/Undetermined	0	5	1	3	5
Totals	4	15	21	70	105

Process Breakdown: Operating Sources



Process Breakdown: Sources Waiting to Construct/Operate



Activities Report
From February 1, 2003 to February 28, 2003
Office of Environmental Services
Data Compliance Section

Title V Sources

ID Number	Name	Inspection Date	Flagged
6898-00310	Allison Transmission Division	2/05/03	
7789-00040	Engineered Polymer Solutions, Inc. (dba Valspar Coatings)	2/19/03	

FESOP Sources

ID Number	Name	Inspection Date	Flagged
5542-00024	Electric Steel Castings	2/07/03	
5446-00197	Fiberglass and Plastic Fabricators, Inc.	2/21/03	X

SSOA Sources

ID Number	Name	Inspection Date	Flagged
9955-00333	Allison Transmission Division – Eagle Creek Technology Center	2/13/03	
11507-00335	Stewart Manufacturing	2/13/03	

Permit by Rule Sources

ID Number	Name	Inspection Date	Flagged

State Minor Sources

ID Number	Name	Inspection Date	Flagged
12816-00379	IPL – Rockville Substation	2/07/03	
12817-00378	IPL – Sunnyside Substation	2/20/03	
12818-00377	IPL – Thompson Substation	2/26/03	

Registration Sources

ID Number	Name	Inspection Date	Flagged

Exemptions Sources

ID Number	Name	Inspection Date	Flagged

Other Sources

ID Number	Name	Inspection Date	Flagged

Stack Tests/CEM

ID Number	Name	Observation Date*	Summary Report Review Date	Pollutant/Parameter Tested	Flagged

- S = Stack Test R = Relative Accuracy Test Audit for Continuous Emission Monitor(CEM)

YTD Totals

Inspections Completed for Clean Air Act Permit Sources (Title V, FESOP, & SSOA)	Inspections Completed for Non-Title V Permit Sources	Number of Permitted Sources Flagged	Percentage Rate of Sources Flagged at Inspection	Number of Compliance Reports Quality Assured	Number of Stack Test /CEM Observed
16	3	2	12	338	2

NOTICE OF VIOLATION WITHOUT REFERRAL

February, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
02/05/03	Sweeping Contractors 400 Block South Emerson Avenue	6-4-2	Fugitive dust emissions.

NOTICE OF VIOLATION WITH REFERRAL TO PROSECUTOR

February, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
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There were none.

WARNING LETTERS

February, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
During Development of MSOP	American Art Clay Company Inc. 4717 West 16 th Street	2-1-1(H)(c)	Permits: Construction and Operation without a permit.
01/28/03	BMG Music 6550 East 30 th Street	2-1-1(H)(c)	Permits: Failure to provide initial notification of start-up of boiler.
11/19/02	Bridgeport Brass d/b/a Olin Brass 1800 South Holt Road	2-1-1(H)(c)	Permits: Failure to keep records of visible emission notations and gas usage.
12/18/02	St. Francis Hospital 1600 Albany Street	2-1-1(H)(c)	Permits: Failure to keep records of visible emission notations.

SOURCE CONFERENCES

February, 2003

<u>Date</u>	<u>Source</u>	<u>Topic</u>	<u>Results</u>
02/07/03	Wishard Health Services	Met to discuss NOV.	Awaiting additional information.
02/14/03	Marathon Ashland and Petroleum	Met to discuss NOV.	Awaiting additional information.
02/19/03	Indiana University Purdue University at Indianapolis	Met to discuss NOV.	Awaiting additional information.
02/20/03	Cryovac, Inc.	Met to discuss NOV.	Awaiting additional information.
02/25/03	Martin Enterprises	Met to discuss NOV.	Awaiting additional information.

TICKETS AND SUMMONS ISSUED

February, 2003

Date Name and Location Regulation Violated Description

There were none.

YTD Totals:

Asbestos Inspections Completed	Mobile Source Inspections Completed	Environ- mental Inspections Completed	# of Enforce- ment Actions Taken With Referral	# of Warning Letters Issued	# of Enforce- ment Actions Taken Without Referral	# of Enforce- ment Actions Resolved	# of Requests for Enforce- ment Technica l Assist- ance	# of Complaints	# of Open Burning Warnings
59	25	932	6	4	5	13	166	14	4

CITY OF INDIANAPOLIS
Office of Environmental Services
Air Pollution Enforcement Actions
March 27, 2003
Prepared by Cheryl Carlson

Denotes New Information

EPA Cases --

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
None at this time.						

State Cases --

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 6-4-2(4) A Fugitive Dust Emissions@ 326 IAC 5-1-2(2)(A) A Opacity Limitations@, and 326 IAC 3-5 A Continuous Monitoring of Emissions@	5/8/00 (fugitive dust), 1 st quarter 2000, 2 nd quarter 2000, and 3 rd quarter 2000, 1 st quarter 2001, 2 nd quarter 2001, 3 rd quarter 2001, and 4 th quarter 2001	5/23/01 Revised 6/27/02	6/13/01 8/14/01 Tour of facility	1/14/02 Various correspondences in 2002	
Mead Westvaco Corporation Indianapolis Plant 6302 Churchman Bypass	326 IAC 2-6-3 A Emission Reporting@	4/16/01 and 4/16/02	12/18/02	12/19/02		

City Cases C

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Asbestos Inspection and Removal Company 7820 Millhouse Road	14-10 A Emission Standards for Asbestos: Demolition and Renovation Operations@, Section 6-1	Prior to 8/20/02	10/9/02	1/7/03	1/31/03	
Bare Mechanical, Inc. 1401 North Bosart Avenue	14-10 A Emission Standards for Asbestos: Demolition and Renovation Operations@,	9/30/02	11/19/02	11/26/02 Additional information	1/30/03 Compliance Agreement signed by	<u>3/5/03</u> <u>Penalty of</u> <u>\$4,800.00 (less</u>

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
	Sections 8(1)(a), (b), and (c)			received 12/23/02	company 2/13/03	<u>cost of asbestos awareness training</u>
Citizens Gas and Coke Utility 2950 Prospect St.	5 AOpacity Limitations®, Section 1-1(2)	10/2/01	12/5/01	1/16/02 Coordinating resolution with IDEM action	<u>3/17/03</u>	
DaimlerChrysler Corporation - Indianapolis Foundry 1100 South Tibbs Avenue	2 APermits®, Section 1-1(H)(1)(C) (Failure to comply with permit condition and 511-304(d) (Failure to conduct stack test)	3/3/99, 9/5/01 - 9/7/01, 12/6/01, <u>3/28/01, and 3/20/02</u>	8/3/99 Revised 4/25/02 Revised 1/2/03	10/8/01 9/16/02 Reviewing stack test results from test on 1/8/03		
Goodyear Tire and Rubber Company 1950 West Edgewood Avenue	2 APermits®, Sections 1-1(H)(1) (c) (failure to comply with permit conditions)	4/15/00, 8/29/00 (3 violations)	1/9/01	2/2/01 Additional information received on 7/11/01		
Indianapolis Shredding Company 311 South Shelby Street	2-1(H)(1)(c) APermits® (failure of a stack test conducted to determine compliance with permit for metal/fluff separator) and 6-4-2 AFugitive Dust Emissions®	9/22/99 and 5/11/01	5/22/00 Revised 6/26/01	8/15/01 10/4/02		
Indiana University - Purdue University at Indianapolis 635 Barnhill Drive	14-10 AEmission Standards for Asbestos: Demolition and Renovation Operations®, Section 8-1(c), 8-2(a), 8-2(b), and 8-2(c)	8/15/02 and 10/10/02	1/8/03	Meeting held on 10/11/02 2/19/03		
Keystone Environmental, LLC 6000 East 21 st Street	14-10 AEmission Standards for Asbestos: Demolition and Renovation Operations®, Section 8-1(a), (b), and (c)	7/2/02	9/23/02	11/18/02 Additional information received 12/6/02 <u>3/5/03</u>	2/3/03	
Marathon Ashland Petroleum, LLC - Speedway Terminal 1304 Olin Avenue	2 APermits®, Section 1-1(H)(1)(C) (Failure to comply with permit condition)	Various dates 1/17/01 through 11/30/02	1/17/03	2/14/03 <u>Additional information received 3/3/03</u>		
Martin Enterprises 50 North Illinois Street	14-10 AEmission Standards for Asbestos: Demolition and Renovation Operations®, Section 8-1(a), (b), and (c)	9/12/02 and 9/13/02	1/13/03	Telephone conversation 2/18/03 Meeting held 2/25/03		
Mead Westvaco Corporation Indianapolis Plant 6302 Churchman Bypass	2 APermits® 6 Emission Reporting	4/15/02 and 4/15/02	11/12/02	12/19/02 Awaiting additional information from		

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
				company		
Metalworking Lubricants Company 1509 South Senate Avenue	Chapter 511 A Air Pollution Control Ordinance®, Section 511-701	11/1/01	12/10/01	1/16/02		
Prairie Material Sales, Inc. 1575 South Senate Avenue	2 A Permits®, Section 1-1(H)(1)(C) (Failure to comply with permit condition)	9/12/02	1/6/03 Relocation letter issued by IDEM 10/7/02	1/23/03	1/28/03 <u>Compliance Agreement signed by company 3/13/03</u>	
Rieth-Riley Construction Company, Inc. 5165 East 96 th Street	6-4-2 A Fugitive Dust Emissions®	11/18/02	1/28/03	Correspondence received 12/13/02	1/28/03	
Rinker Materials, Inc. 1030 South Kitley Avenue	6-4-2 A Fugitive Dust Emissions®	9/6/02 and 9/13/02	9/18/02	9/30/02 Correspondence received 10/14/02	1/2/03 Compliance Agreement signed by company 2/10/03	<u>3/17/03</u> <u>Penalty of \$2,000.00</u>
Smoot Construction, LLC 2001 West 18 th Street 635 Barnhill Drive	14-10 A Emission Standards for Asbestos: Demolition and Renovation Operations®, Section 8-1(a), (b), and (c)	8/14/012, 8/15/02, and 10/10/02	1/9/03	Meeting held on 10/11/02		
Speedway SuperAmerica LLC 4535 Shadeland Avenue 5959 Southeastern Avenue	8-4 A Petroleum Sources®, Section 4 (Leaking vent caps)	8/23/02 and 10/22/02	11/12/02	1/13/03 <u>Additional</u> information from company received 1/30/03	2/10/03	
Statewide Medical Services and Supply, Inc. 3601 East 9 th Street	2 A Permits®, Section 1-1(H)(1)(c) (Failure to comply with permit condition) and 511-304(a) (Failure to submit a permit application)	Various dates 9/5/01 through 9/21/01 (9 days), 10/30/01, and 1/19/02	5/20/02	6/11/02		
Wishard Health Services 1001 West 10 th Street	2 A Permits®, Section 1-1(H)(1)(a), (b), and (c) (failure to provide sulfur content, late submittal of natural gas certification and Compliance Monitoring Report, missing records, late submittal of parameter testing, and construction without a permit)	4/15/02, 1/31/02, 4/22/02 - 6/30/02, 2/7/02 - 3/31/02, 4/10/02, and prior to 1/27/01	1/27/03	2/7/03 Additional information received 2/25/03 and 2/28/03		

February 13, 2003 - APPROVED AS PRESENTED - March 13, 2003
INDIANAPOLIS AIR POLLUTION CONTROL BOARD
CITY OF INDIANAPOLIS

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on February 13, 2003 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chairman
Bernie Paul, Vice Chairman
Dennis Achgill, Member
Chuck Fraley, Member
Roland Salman, Member
Bruce Wallace, Member
Tom Rarick, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Bill Brown, Member
Tom Barnard, Member

GUESTS PRESENT:

Wade Kohlmann, Citizens Gas & Coke Utility
Richard Van Frank, Improving Kid's Environment
Peter Lorenz, Indiana Veneers
Denise Curtis, National Starch
Pam Thevenow, Marion County Health Department
Bill Beranek, Indiana Environmental Institute
Paul Whitmore, Department of Public Works

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. There were two (2) additions presented by Mr. Bernie Paul and Dr. Daly.

1. Under item (7) New Business (a), Preliminary Adoption of Regulation 1-2-3.
2. Under item (5) Staff Reports (g), Update of Ordinance Review Committee (ORC) meeting.

Mr. Bruce Wallace made a motion the Agenda be adopted as amended. Mr. Tom Rarick seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

There were none.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the January 9, 2003 meeting. The Board requested a clarification be made on page five (5) where it states " They still have questions, which is understandable because of the nine counties only Marion County has been in non-attainment." It was decided the sentence should read " They still have questions, which is understandable because of the nine counties only Marion County has been in non-attainment **for the one-hour standard.**" Mr. Wallace made a motion that the

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Minutes be approved as amended. Mr. Dennis Achgill seconded the motion and said motion carried.

RE: STAFF REPORTS - December 2002, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for December 2002. He stated the Air Quality Index (AQI) for December 2002 was in the good and moderate categories.

Mr. Childs referred to page five (5) of the Air Monitoring report, which indicates that all of the sites are exceeding the annual standard for PM 2.5 in 2002. The only exception is site 43. However, that site was down for approximately a quarter of the year due to a roof replacement on the building where the monitor is located. The data collected 2002 will be data used to determine attainment or non-attainment status.

Mr. Childs distributed a summary of data for PM 2.5, PM10, Air Quality Readings for 2002, and Valid Data Return for 2002. He stated the PM 2.5 averages have stayed much the same over the past three (3) years. There is a definite trend indicating PM 10 is improving. There are more readings taken April through October which is also the ozone season. The Valid Data Return indicates the number of valid data points collected in 2002.

The Board inquired what is the federal standard the City is held to for valid data return. Mr. Childs stated 75% is the minimum that is required.

The Board stated the trend is very useful to see on PM 10. They inquired if staff knew why there has been such a significant decrease in PM 10. It was discussed that the credit for the decrease could be because businesses are running more efficiently and the number of construction and modification permits that have been issued. Fuel combustion is also cleaner now than it was ten (10) years ago. The Board stated as the City approaches future challenges of PM 2.5, it will be helpful to understand what has caused the improvements.

(Permit Activities Report)

Ms. Monica Dick updated the Board on the Permit Activities Report for December 2002. There were six (6) permit decisions made and fourteen (14) applications for various types of permits received in December 2002. The decisions made included one (1) Title V permit issued to Commercial Finishing and a FESOP Renewal for National By-Products, Inc. The Board inquired what type of equipment does Genuity have that would require a permit. Ms. Dick stated she would research and report back to the Board at the next meeting.

The Board inquired about the status of outstanding applications. The Board referred to the number of outstanding applications compared to the number of permits issued. Based on the information contained in the Permitting Activity Report, the Board is concerned that the rate of issuance is not addressing the number of outstanding. Mr. Chavez stated a revised report would be available at the next meeting that will reflect a new tracking system that will more accurately reflect the applications received and decisions made by OES.

Mr. Rarick stated from his experience OES staff works with companies in terms of schedules for beginning construction and are sensitive to those timelines set by companies.

Ms. Pam Thevenow of the Marion County Health Department inquired about the National By-

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Products permit that was issued. She asked if during the permit process, if there is an opportunity to look at odor complaints. Ms. Dick stated the permit regulations do not provide authority to incorporate odor conditions into the permit. However, if there is a past Agreed Order requiring odor controls that would be incorporated as a condition in the permit.

TITLE V: There were Fifteen (15) in process, one (1) issued, and zero (0) received in December 2002.

FESOP's: There were six (6) in process, zero (0) issued, and zero (0) received in December 2002.

FESOP Renewal: There were twenty-four (24) in process, one (1) issued, and zero (0) received in December 2002.

SSOA's: There was four (4) in process, zero (0) issued, and zero (0) received in December 2002.

CONSTRUCTION PERMITS/MODIFICATIONS: There were thirty-nine (39) in process, zero (0) issued, and zero (0) received in December 2002.

TITLE V AND FESOP MODIFICATIONS/AMENDMENTS: There were forty-two (42) in process, one (1) issued, and seven (7) received in December 2002.

MINOR SOURCE OPERATING PERMITS, MODIFICATIONS/AMENDMENTS: There were thirty-two (32) in process, two (2) issued, and four (4) received in December 2002.

EXEMPTIONS & Registrations: There were eleven (11) outstanding, one (1) issued, and three (3) received in December 2002.

PERMIT BY RULE: There were zero (0) outstanding, one (0) issued, and zero (0) received in December 2002.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for December 2002. During the month of December, compliance staff inspected four (4) Title V and seven (7) FESOP sources. There were several sources flagged. Marathon Ashland was issued a Notice of Violation (NOV). St. Francis Hospital and Raytheon were issued Warning Letters. The other sources flagged are still being reviewed. There were five (5) stack tests observed during the month as well. There were no problems observed.

The year to date totals are as follows:

Inspections completed for Clean Air Act Permit Sources	81
Inspection completed for Non-Title V Permit Sources	4
Number of Sources Flagged	19
Percentage Rate of Sources Flagged at Inspection	22%
Number of Compliance Reports Quality Assured	926
Number of Stack Test/CEM observed	46

Twelve (12) sources were flagged for failure to log or perform compliance monitoring. Three (3) sources were flagged for failure to obtain proper permit approval. Two (2)

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sources were flagged for failure to take corrective action for exceeding a compliance monitoring parameter. One (1) source was flagged for exceedence of a regulatory requirement. One (1) source was flagged for failure to submit notification of an initial start up.

There were forty-six (46) stack tests observed in 2002, which encompassed thirteen mixed sources. There was one (1) potential violation.

Mr. Mosier updated the Board on the invoicing that just occurred for Title V sources. The Board inquired if the City has taken over the invoicing for Title V sources. Mr. Chavez stated OES produced the final invoices for 2003. He had a preliminary discussion with IDEM regarding continuing this in the future.

The Board thanked staff for the thorough year-end report given and asked that it be reflected in the meeting minutes.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Cheryl Carlson updated the Board on the Enforcement Activities Report for December 2002. During the month of December two (2) Warning Letters were issued. There was also one (1) source conference held.

The State issued a NOV to Mead Westvaco Corporation Indianapolis Plant for failure to submit emission-reporting information. The City also issued a NOV for the same violation, which appeared on last month's report. OES staff have been working with both the State and the company to resolve this issue.

New Information:

Anselm Construction and Demolition, Inc. - Hearing was held on November 21, 2002. Staff received the Hearing Officer's Finding of Fact on January 12, 2003. The Hearing Officer assessed a penalty of \$5000.00.

B&W Auto Sales - A Compliance Agreement was signed on December 21, 2002 and a penalty of \$1,000.00 was assessed.

CMW, Inc. - A Hearing has been scheduled on February 20, 2003.

D & N Liquor Store - A Compliance Agreement was signed by the company on January 14, 2003.

Double 8 Foods, Inc. - A Proposed Compliance Agreement was sent to the company on December 4, 2002. The company ceased operation of all six (6) incinerators.

Hawk's Auto Sales - A Compliance Agreement was signed by the company on December 3, 2002 and a penalty of \$1000.00 was assessed.

Hunt Paving, Inc. - A Compliance Agreement was signed by the company on December 5, 2002 and a penalty of \$1500.00 was assessed.

Indiana University-Purdue University at Indianapolis - A source conference has been scheduled for next week. The Notice of Violation issued to IUPUI is for failure to get a thorough inspection prior to renovation work. This Notice of Violation is related to Smoot Construction, LLC.

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Jackson Oil and Solvents, Inc. - A Compliance Agreement was signed by the company on November 25, 2002 and a penalty of \$500.00 was assessed.

Jet Star, Inc. - A Compliance Agreement was signed by the company on December 6, 2002 and a penalty of \$1000.00 was assessed.

Marathon Ashland Petroleum - A source conference is scheduled for February 14, 2003.

Prairie Material Sales, Inc. - A Notice of Violation was issued for failure to submit a relocation request.

Weihe Construction, Inc. - A Compliance Agreement was signed by the company on December 12, 2002 and a penalty of \$1000.00 was assessed.

(School 21)

Mr. Chavez stated a meeting with the work group was held in January 2003. The meeting was to discuss the activities of the School 21 project. IDEM provided an update regarding the set-up and implementation of the monitoring equipment at School 21. Data collection should commence in early March 2003. Staff is in the process of scheduling a technical meeting with EPA, IDEM and the stakeholders regarding the details of the monitoring.

Mr. Chavez and Mr. Mike Brooks of IDEM met with the South East Community Organization (SECO) in late January 2003 to address their concerns and bring SECO up to speed with where the City is in the process. SECO provided Mr. Chavez valuable information regarding the implementation of the health survey and gave some guidance how the City may more effectively administer the survey. A meeting will be scheduled with IDEM and MCHD to discuss the information.

A meeting has been scheduled with IDEM and EPA to discuss the assessment of Citizens Gas and Coke Utility for emission reduction opportunities and confidentiality issues. The next School 21 meeting is scheduled for March 12, 2003 from 2:00 p.m. to 4:00 p.m. at the DPW Training Center located at 2700 South Belmont Avenue.

(Ozone Flex Program)

Mr. Chavez updated the Board on the Ozone Flex Program. He stated an Early Action Compact (EAC) was submitted to the Environmental Protection Agency (EPA) on December 31, 2002. Mr. Chavez and Ms. Jodi Perras met with the Deputy Administrator of EPA Region V to discuss the EAC. EPA has not yet approved the EAC. There are issues that still need to be resolved. Specifically, there were timeframes in the EAC that were not consistent with the guidance that was provided by the EPA. One of the deviations was an internal milestone for the implementation of the controls. The guidance requires the controls be implemented by December 31, 2005. The City put in a date of April 1, 2006 (a four-month delay) but still before the ozone season. There was also a deviation on the final attainment date of December 31, 2007. The City used December 31, 2008 in the EAC because there will not be three (3) years of quality assured data which is required to demonstrate attainment, until December 31, 2008.

On February 10, 2003 there was an initial kick-off meeting with the stakeholders that have signed on to the EAC. Both Boone and Morgan County have signed on and the City has received word that Johnson County is interested in participating. At the meeting there was discussion on where the status of the EAC, what needs to be done, organizational

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structure, and how the process will work. The Indiana chapter of the American Lung Association is also sending in a letter in support of the process.

Mr. Paul and Mr. Achgill attended the kick-off meeting. Mr. Paul stated it was a good meeting with a lot of good discussions. It was helpful to have the facilitators from Sonneschein, Nath & Rosenthal at the meeting.

Mr. Dick Van Frank of Improving Kid's Environment stated the City should be commended for being able to establish such a large stakeholder group to attack the ozone problem.

(Update of Ordinance Review Committee Meeting)

Dr. Daly updated the Board on the Ordinance Review Committee (ORC) meeting held prior to the APCB meeting. The purpose of the meeting was to address the incorporation by reference of the state rules. The ORC recommends the incorporation by reference take place every six months (January 1 and July 1 of each year). A memo was distributed listing the specific regulations included by the proposed incorporation by reference.

Dr. Daly solicited the Board to preliminarily adopt the updated incorporation by reference of the Regulation 1-2-3. This incorporation by reference adopts Title 326 Indiana Administrative Code and all amendments, additions and appeals on file with the Indiana secretary of State through 12/10/2002 and published 01/01/2003 unless otherwise indicated in a particular regulation. Mr. Wallace made a motion to adopt the proposed changes to Regulation 1-2-3 to update the incorporation by reference of Indiana Department of Environmental Management rules through January 1, 2003. Mr. Achgill seconded the motion and said motion carried.

A public hearing will be scheduled for March 13, 2003 at 9:30 a.m. in room 107 City-County building. This notice will appear in the Indianapolis Star ten (10) days prior to the hearing.

RE: UNFINISHED BUSINESS

(Discussion on Off Road Diesel Sources)

A memo was distributed to the Board as a follow-up to their questions at the last APCB meeting regarding diesel emissions from off-road vehicles. Mr. Chavez stated staff did contact the American Farm Bureau. The Bureau is aware of the rule making and are waiting until it is proposed before they make any comments. However, they were not aware of the newspaper articles cited in the memo. Based on staff assessment, the rule will have an impact on the surrounding counties where there is a greater reliance on agriculture with the use of large off road diesel engines.

The Board requested this be left as an agenda item for the next APCB. This will allow time for the Board to review the memo.

RE: NEW BUSINESS

There was none.

RE: ADJOURNMENT

Mr. Wallace made a motion the meeting be adjourned. Mr. Chuck Fraley seconded the motion

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and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on March 13, 2003 at 9:30 A.M. in room 107 City-County Building.

AIR POLLUTION CONTROL BOARD

Dr. Robert Daly, Chairman

ATTEST:

John B. Chavez, Technical Secretary
Indianapolis Air Pollution Control Board

Date: _____